

**HISTORIC DISTRICT COMMISSION**  
**Meeting Minutes**  
**February 10, 2014**

**CALL TO ORDER:**

Mr. Mike Troutman, Chairperson called the meeting to order at 4:00 p.m.

**ROLL CALL:**

<b>Members Present:</b>	Eric Greene	Doug Sofia
	Dan Buscher	Mike Troutman
	Mark Jones	Kim Tuck

**Members Excused:** Susan Baldwin

**Staff Present:** Glenn Perian, Senior Planner, Planning Dept.  
Marcel Stoetzel, Assistant City Attorney  
Leona Parrish, Admin. Assistant, Planning Dept.

**ADDITIONS / DELETIONS TO AGENDA:** None

**APPROVAL OF PREVIOUS MINUTES:**

**MOTION MADE BY MR. DAN BUSCHER TO APPROVE THE MINUTES FOR  
THE JANUARY 13, 2014 HISTORIC DISTRICT COMMISSION MEETING,  
SECONDED BY MR. ERIC GREENE.**

**ALL IN FAVOR; NONE OPPOSED; MINUTES APPROVED**

**CORRESPONDENCE:** None

**OLD BUSINESS:** None

**NEW BUSINESS:**

A) **78 Ann Avenue** - *(Request from City of Battle Creek, Mr. Dennis McKinley, Code Compliance Administrator, 10 N. Division St., Battle Creek, MI 49014, on behalf of property owner Mr. Anthony Roselli requesting a Notice to Proceed for a demolition of a fire damaged structure.)*

Mr. Dennis McKinley, Code Compliance Administrator, stated he was here today on behalf of the City of Battle Creek along with Mr. Quincy Jones, Fire Inspector and Mr. Don Wilkinson, Building Inspector. Stated he was here today to discuss their request for permission to proceed with the demolition of 78 Ann Avenue. Said this property was heavily damaged by fire on October 14, 2012, is on the cities Dangerous Buildings list as it is unsafe for occupancy and at a minimum likely to partially collapse with the estimated cost of repair to be \$143,000 thousand dollars with an State Equalized Value of \$20,598 thousand dollars, and based on the fact that the cost of repair exceed the SEV for the property makes it a candidate for demolition. Said on

January 18, 2014 the Housing Board of Appeals had affirmed it as being a dangerous building and his request is to move this through the process so it may be demolished.

Mr. Doug Sofia asked if this property was owned by the County Land Bank. Mr. McKinley stated no it is privately owned by Mr. Roselli, who is willing to walk away from this property and has signed an affidavit to have the City demolish as he has no ties or interest in investing any monies for repairs.

Mr. Mark Jones asked when that conversation occurred with the property owner. Mr. McKinley stated it was the latter part of year 2012 just after the fire occurred in October.

Mr. Mark Jones stated he had some concerns with this property where the \$143,000 thousand dollars seems to be an outrageous amount for the restoration repair cost and believes the inside was not so bad that all the interior walls would need replaced. Stated he contacted someone else and they said it would be a much lesser amount of about \$20,000 to \$30,000 dollars.

Mr. Don Wilkinson stated the figures are based on square footage and a cost figure that is assigned for residential construction for renovation; the number is one half the base valuation data provided by ICC "International Code Council" which is \$47.67 per square foot and that the cost for a new home is \$97.00 which is about one-half the cost.

Mr. Kim Tuck stated from his experience renovating this type of houses, one of the issues is because of the extent of the damage this house would need to be brought up to current code standards in renovation that would require the wiring to be replaced since it has experienced excessive heat; the utilities are all suspect and the renovations he has done in similar circumstances the numbers that Mr. Wilkinson has quoted are very close to what he had experienced.

Mr. Mark Jones stated this is a 2,800 sq. ft. home and believes it could be torn down and rebuilt for less than the amount stated. Said he knew someone who would charge much less; asked if the cost is an average for across the United States including New York, California, etc. Mr. Don Wilkinson stated the City uses the International Code Council "ICC" figures, which is the amount they use to estimate the cost to rebuild.

Mr. Kim Tuck stated when he worked with the "NSP#2" Neighborhood Stabilization Program the City had done an extensive look at a dozen homes within this neighborhood and the problem was that the resale value was about 10% of the cost to renovate a home; so a \$150,000 dollar renovation when complete had a value of somewhere between \$15,000 to \$20,000 thousand dollars. Therefore, it is not economically viable to renovate a structure within that neighborhood when it is damaged to the extent of this property.

Mr. Mark Jones stated five years ago this property sold for \$104,000 and he believes that people value homes based on a percentage and that this home is worth \$40,000 to \$50,000 dollars given the area when restored.

***With no others wishing to speak, Chairperson, Mr. Troutman asked commissioners for any action to be taken.***

**MOTION WAS MADE BY MR. DOUG SOFIA TO APPROVE THE REQUEST FOR A NOTICE TO PROCEED FOR DEMOLITION BASED ON THE STANDARD #1 OUTLINED IN CHAPTER 1470.09(e) NOTED IN THE STAFF REPORT FOR PROPERTY LOCATED AT 78 ANN AVENUE; SECONDED BY MR. KIM TUCK.**

Mr. Jones asked if this property was insured and had the owner received a fire settlement from the insurance company. Mr. Dennis McKinley stated he had no knowledge of the owner receiving a settlement and that if a home is insured they would have received monies from the Fire Escrow account and in this case they have not received any funds.

**FIVE IN FAVOR (GREEN, BUSCHER, SOFIA, TUCK AND TROUTMAN; ONE OPPOSED (JONES); MOTION CARRIED.**

**B) 225 W. Michigan Avenue – (*City of Battle Creek, Mr. Dennis McKinley, Code Compliance Administrator, 10 N. Division St., Battle Creek, MI 49014, request an issuance for a Notice to Proceed to demolish a fire damaged structure*).**

Mr. Dennis McKinley stated he was here along with Quincy Jones, Fire Inspector and Mr. Don Wilkinson, Building Inspector to speak regarding his request for a Notice to Proceed for demolition for the On Deck Sports Bar and Grill that was severely damaged by fire on December 30, 2013. Stated the cost for the repair damage is approximately \$937,000 and the property SEV value is \$61,000 dollars which makes it a candidate for demolition. Said this property has been heard before the Dangerous Buildings Hearing Officer and has approved it as a dangerous building. Therefore he is recommending proceeding with a request for a Notice to Proceed for demolition. Stated present is the fire inspector to answer any additional questions.

Mr. Daniel Buscher asked if they have been working with the Battle Creek Police Department regarding the fire investigation. Mr. Dennis McKinley stated yes he has spoken with Detective Silverman last week at the site in the basement conducting an investigation.

Mr. Daniel Buscher asked Mr. Quincy Jones, Fire Inspector, regarding the status of the fire investigation and if the building needed to be thawed to proceed with the investigation. Mr. Quincy Jones stated that at this time they are still investigating to get an analysis of what might have occurred and also have insurance company engineers involved.

Mr. Daniel Buscher stated they would then need to close the investigation before this structure would be approved to be demolished. Mr. Jones stated there is a lot of structural damage and that is why they have the experts helping with the investigation.

Mr. Mark Jones asked if they can make a decision pending the outcome of the fire investigation. Mr. Mike Troutman stated the city would not allow the structure to be demolished until the investigation was completed. Mr. Dennis McKinley agreed.

Mr. Kim Tuck stated they may need to remove a portions of the structure because of the danger of collapse and the exterior walls on the 3<sup>rd</sup> floor are very subject to wind damage that could cause collapse; he is sure the engineers are dealing with the progressive state of demolition.

Mr. Quincy Jones stated it would not be allowed to be demolished until after the investigation was complete and they are concerned with the east and west walls of the structure as over 90,000 gallons of water was put into this building and the potential danger is there for collapse.

Mr. Don Wilkinson, Building Inspector, City of Battle Creek, stated he concurs with the Fire Inspector that this entire roof structure that holds the walls in place has been burnt-out and collapsed into or onto the 3<sup>rd</sup> floor and with the additional weight not only with the amount of water, but the snow and ice causing it to push out the walls. Stated he had not been at the site for a couple weeks; at that time they were preparing to setup to add temporary heat to thaw the building, but had more snow. Stated it is considered extremely dangerous especially the side walls at this point and time.

Mr. Mike Troutman asked Mr. Glenn Perian who would make the final decision to remove the structure and if someone in Public Safety would decide. Mr. Glenn Perian stated he was not sure who would make the final decision; agree that it would not be removed until the full investigation has been completed and that someone in Public Safety would make that decision.

Mr. Mike Troutman asked if it is decided today, it does not mean it would be demolished soon until it has been signed off by whoever is responsible. Mr. Dennis McKinley stated they are asking for a decision at this time because they do not want the City to be the hold-up in case the insurance monies come through and would then be ready to move forward with the demolition.

**MOTION WAS MADE BY MR. MARK JONES TO APPROVE THE REQUEST FOR A NOTICE TO PROCEED FOR DEMOLITION BASED ON THE REQUEST MEETING STANDARDS #1 AND #3 OUTLINED IN CHAPTER 1470.09(e) NOTED IN THE STAFF REPORT FOR PROPERTY LOCATED AT 225 W. MICHIGAN AVENUE; SECONDED BY MR. DANIEL BUSCHER.**

**ALL IN FAVOR; NONE OPPOSED; MOTION APPROVED**

**PUBLIC COMMENTS:** None

**COMMENTS FROM COMMISSION MEMBERS AND STAFF:** None

**ADJOURNMENT:**

Mr. Mike Troutman, Chair adjourned meeting at 4: 23 P.M.

Submitted by: Leona A. Parrish, Administrative Assistant, Planning Department